

Retail Store Compliance

Romina Schiess, EHS II

County of San Diego- Hazardous Materials Division

Romina.Schiess@sdcounty.ca.gov

(619) 249-8704

Why are we here?

- Explain a typical retail store inspection
- Mention possible improvement areas



Why do we care?



Why are you here?

- Prevent enforcement actions
 - Lots of monetary penalties issued to retail stores.
 - Statewide enforcement cases/press releases in the news for the last 10 years.

How did it all start?

- CUPA inspector was shopping at a retail store and observed a bleach spill in the store
 - Inspector

What will you do with the leftover bleach?




Hazardous waste generators


As a business, retail stores generate “waste”.

All businesses are required to determine if the waste they generate is hazardous or non hazardous at the point of generation.

If you determine that the waste is hazardous then you are a hazardous waste generator.



Retail stores can potentially
generate hazardous waste from
“spilled, returned, damaged or
expired”
chemical retail products.

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- Retail stores that have determined that they will be generating hazardous waste are required to notify and obtain a permit from their CUPA.

Hazardous Waste Requirements Simplified

- Manage all hazardous waste/spills in:
 - Compatible, labeled, and closed containers
- Ship hazardous waste offsite:
 - With a registered hazardous waste transporters
 - With a proper hazardous waste manifest
 - Within 90/180/270 days
 - To authorized waste disposal/treatment facilities
- Maintain records

Hazardous Materials Requirements Simplified

- Develop and submit a hazardous materials business plan (HMBP) in CERS and certify annually
- Update your HMBP within 30 days of a change
- Notify agencies when there is:
 - A significant or threatened release of hazardous material/waste

Preparing for the Inspection

CUPA Inspector

- Verify that CERS is current
 - Not all CUPAs require that hazardous waste generators notify in CERS.
- Review DTSC HWTS
 - EPA ID # Active
 - Hazardous Waste Manifests
 - Types of hazardous waste generated

Preparing for the Inspection

- Review previous inspection reports
- Enforcement settlement agreements/provisions
- Permit status

Preparing for the Inspection

Retail Store

- Paperwork
 - Hazardous Waste Manifests (3 years)
 - Land Disposal Restriction
 - HMBP if required
 - Contingency Plan for hazardous waste generators
 - Training documentation

Preparing for the Inspection

- Storage of Hazardous Waste
 - Containers closed and in good condition
 - Labeled
 - Waste segregated
 - Storage area (aisle space)
 - Weekly inspections

Storage of Hazardous Waste

Containers closed and in good condition



Storage of Hazardous Waste

Label containers

HAZARDOUS WASTE
STATE & FEDERAL LAW PROHIBIT IMPROPER DISPOSAL
IF FOUND, CONTACT THE NEAREST POLICE OR PUBLIC SAFETY AUTHORITY,
THE U.S. ENVIRONMENTAL PROTECTION AGENCY OR
THE CALIFORNIA DEPARTMENT OF TOXIC SUBSTANCES CONTROL.

PROPER D.O.T. SHIPPING NAME: _____ UN OR NA#: _____

GENERATOR'S NAME AND ADDRESS:
NAME: _____
ADDRESS: _____
CITY: _____ STATE: **CA** ZIP: _____

GENERATOR'S EPA ID NUMBER: _____ MANIFEST TRACKING NUMBER: _____

ACCUMULATION START DATE: _____ CA WASTE NUMBER: _____ EPA WASTE NUMBER: _____

CONTENTS, COMPOSITION: _____

PHYSICAL STATE: ☐ SOLID ☐ LIQUID
HAZARDOUS PROPERTIES: ☐ CORROSIVE ☐ FLAMMABLE ☐ REACTIVE ☐ TOXIC ☐ OTHER

HANDLE WITH CARE!
CONTAINS HAZARDOUS OR TOXIC WASTES

COMPLETE FOR STORAGE ☐ COMPLETE FOR TRANSPORT ☐



Make sure they are labeled properly

Storage of Hazardous Waste

40 CFR § 265.35 Required aisle space

The owner or operator must maintain aisle space to allow the unobstructed movement of personnel, fire protection equipment, spill control equipment, and decontamination equipment to any area of facility operation in an emergency, *unless* aisle space is not needed for any of these purposes.

“The” Inspection

- Unannounced
- Frequency of inspection may vary from CUPA to CUPA.
- Complaint investigations as necessary.
- Obtain consent to conduct the inspection, review paperwork and take photos.

“The” Inspection

- Walk through of the stores:
 - Trash dumpsters
 - Hazardous waste storage area
 - Pharmacy
 - Hazardous materials storage areas
 - Any other part of the store

“The” Inspection

- Review of paperwork
 - Manifests
 - LDR
 - HMBP
 - Contingency Plan
 - Training documentation
 - CUPA permit
 - Weekly inspections

“The” Inspection

- Write the inspection report and have it signed by the store representative.
- Mail or email copies of the photographs taken during the inspection.

Waste Audits

Purpose of the audit:

- Determine if retail stores are disposing of hazardous waste to an unauthorized point.
- Verify implementation of the hazardous waste training.

Waste Audits



In Closing

- BE READY
- Do your internal inspections
- TRAIN YOUR EMPLOYEES!!!!
- Paperwork, Paperwork,
Paperwork